THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13741 OF 2007

DATED 02nd JULY, 2007

Between

Smt N.Bhagyamma

... Petitioner

AND

The District Collector, Mahabubnagar District and another.

.... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.13741 OF 2007

ORDER:

The petitioner is resident of Janampeta Village of Addakula Mandal in Mahabubnagar District. She allegedly owns agricultural lands in survey No.203/E (Acs.2.07 guntas) and survey No.234/E (Acs.0.32 guntas) situated in the said village. She dug three borewells for cultivation of paddy allegedly spending considerable amount. She also laid pipeline to an extent of 1200 feet covering the lands. She approached this Court alleging that second respondent entered the lands on 15.06.2007 and seized the borewell without any notice or without conducting enquiry under A.P.Water, Land and Trees Act, 2002 (the Act, for brevity). Therefore, she filed instant writ petition seeking appropriate declaration and direction.

At the stage of admission itself, learned Assistant Government Pleader, after obtaining instructions, submits that second respondent or any subordinate officials never entered the petitioner's land and seized the borewell as alleged. It is also submitted that persons belonging to scheduled castes residing in Janampeta Village gave a complaint that the petitioner and her husband, Sri Sava Reddy, dug a borewell in the land without obtaining permission. Therefore, the Mandal Revenue Inspector visited the village on 08.06.2007 and conducted enquiry. Based on the report submitted by him, a notice

was issued to the petitioner's husband on 21.06.2007 asking him to remove the submergible motor and close the borewell. He has not removed till 25.06.2007. Therefore, Tahsildar visited the village on that day and asked the petitioner's husband to remove the borewell when submergible motor was removed and the petitioner and her husband voluntarily closed the borewell. Learned Assistant Government Pleader has also produced a copy of the notice, dated 21.06.2007, issued to the petitioner's husband, which was also acknowledged by him. He has also enclosed the complaint given by villagers in this regard. The material placed before this Court would disprove the allegations made by the petitioner. Now that a notice has been issued to the petitioner to close the borewell, the Mandal Revenue Officer may conduct enquiry into the matter and pass final orders.

The writ petition is filed making false allegations and therefore, dismissed. No costs.

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(V.V.S.RAO,J)

02.07.2007.
pln